IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 4013 OF 2006

Rishikesh Bhimrao Patil ...Applicant
V/s.
State of Maharashtra & Anr. ...Respondent

Mr.Ajaya Joshi for the Applicant.
Mr.Y.M. Nakhawa, APP for State.
Mr.R.F. Lambay for Respondent No.2.

CORAM : V.M. KANADE, J.

DATED : SEPTEMBER 5, 2007

P.C. :-

. Heard the learned Counsel for the applicant and the learned Counsel for the respondent.

2. By this application which is filed under Section 482 of Cr.P.C., the applicant seeks an order of quashing FIR lodged by the Superintendent of Police, CBI, SCB, Mumbai for an offence punishable under Section 120 read with Sections 420, 467, 468, 471, 472 of IPC. It is alleged that the applicant herein had submitted a false caste certificate and therefore, had committed the aforesaid offence.

3. The learned Counsel for the respondent submits

that the applicant have an alternate remedy of filing an application for discharge before the trial Court and this application is not maintainable.

4. Hence, the learned Counsel for the applicant seeks permission to withdraw the application with liberty to make an application before the trial Court for discharge.

5. Application is allowed to be withdrawn with liberty as prayed and it is disposed of as such.

47 **(V.M. KANADE, J.)**